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ABSTRACT

This is a study of recent acts of violence perpetrated against racial, ethnic, and religious minorities in the United States, based upon information provided by State civil rights advisory committees and data from publications, reports, and the news media. At the outset, it is noted that the Ku Klux Klan, neo-Nazi, and other extremist groups which openly advocate racist and discriminatory beliefs still exist despite efforts to eradicate them. The report then analyzes probable causes and contributing circumstances (especially economic factors) in bigotry-bred violence and identifies responses to this problem, including education and public awareness, improved police intervention, legislative initiatives, and fair media coverage. In conclusion, five suggestions are made as to the responsibilities of Federal and State authorities, the criminal justice system, parents, educators, religious leaders, the Department of Justice, and the nation's President to combat racial and religious bigotry. (Author/WAM)

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Intimidation and Violence

Racial and Religious Bigotry in America

A Statement of the
United States Commission
on Civil Rights

Clearinghouse
Publication 77

January 1983

UD 022 654

U.S. COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights is a temporary, independent, bipartisan agency established by Congress in 1957 and directed to:

- Investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, sex, age, handicap, or national origin, or by reason of fraudulent practices;
- Study and collect information concerning legal developments constituting discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice;
- Appraise Federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice;
- Serve as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin;
- Submit reports, findings, and recommendations to the President and Congress.

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John I. Binkley, Deputy Director of the Office of Regional Programs, had overall supervisory responsibility for the production of this statement.

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Chapter 1

Introduction

A few isolated groups in the backwater of American life still hold perverted notions of what America is all about.[1]

Ronald Reagan
President of the United States

The U.S. Commission on Civil Rights is concerned about acts of violence perpetrated against racial and religious minorities. The media bring recurring accounts of intimidating and violent activities, which include cross burnings; defacement, destruction, and desecration of religious property; infliction of personal injury; and, in some cases, the deaths of human beings. In this statement the Commission seeks not only to express its concern over the senseless and intimidating acts of violence motivated by racial and religious bigotry, but also to share its view of the nature and extent of the problem, to describe promising responses of public officials and community leaders to combat the problem, and to urge upon others a posture of condemnation against those who would violate the varied but enduring values of a pluralistic society.

In preparing this statement, the Commission drew primarily upon information provided by many of its 51 State Advisory Committees, who have been monitoring developments at State and local levels, and four specific reports based on Advisory Committee studies conducted during the fall of 1981.[2] Additional data were drawn from a variety of publications, reports, and the news media.

[1] U.S., Executive Office, *Weekly Compilation of Presidential Documents*, vol. 17, June 29, 1981, p. 699.

[2] In each State and the District of Columbia, the Commission has established Advisory Committees that keep the Commission abreast of civil rights developments at the State and local levels. The four Advisory Committees that produced special reports on bigotry and violence against racial and religious minorities were those in Connecticut, Georgia, Michigan, and West Virginia. The New Jersey Advisory Committee also produced a brief statement on the subject.

The Problem Illustrated

● On June 2, 1982, a former member of the Ku Klux Klan and the American Nazi Party was indicted by a Federal grand jury for the 1980 ambush shooting of Vernon E. Jordan, then president of the National Urban League. Though subsequently acquitted, the assailant is currently serving four life sentences for the murder of two young black men who were jogging in a Salt Lake City park with two white women. At his trial for these murders, the suspect was quoted as saying that the two blacks deserved to die for "race mixing." He has also been charged with the racially motivated slayings of a black man and his white wife in Oklahoma City and of two black men in Indianapolis.[1]

● In Colorado on May 4, 1982, five persons were arrested for an alleged plot to kill two Federal judges and blow up Internal Revenue Service headquarters in downtown Denver. Police confiscated bombs, automatic weapons, and other firearms. One of those arrested is president of a local chapter of the United Klans of America. Media accounts alleged that all five persons have Klan connections.[2]

● On April 15, 1982, in Memphis, Tennessee, a white man was indicted by a Federal grand jury on charges of planning and participating in the firebombing of the home of a black family who moved into a white neighborhood.[3]

● In Michigan a candidate for Congress with alleged links to Klan and Nazi organizations used campaign diatribes against urban blacks whom he saw as potential pillagers of the predominantly white suburbs. He also reportedly expressed a belief that violence-prone blacks, by attacking white women, create marital discord, and thereby cause white male homosexuality. Although defeated, this proponent of white supremacy won 53,000 votes in his bid for election.[4]

● On March 10, 1982, a Jewish female student was shot five times with a BB gun on the University of Maryland campus at College Park, Maryland. The attacker shouted "Heil Hitler" as he fired and used other epithets that indicated anti-Jewish feelings. An undergound campus newspaper hailed the assailant as a hero and suggested that next time he use a flamethrower on the victim.[5]

These documents are *Hate Groups and Acts of Bigotry: Connecticut's Response* (1982); *Perceptions of Hate Group Activity in Georgia* (1982); *Violence and Bigotry in West Virginia* (1982); *Hate Groups in Michigan: A Sham or a Shame* (1982) (hereafter cited as *Michigan Report*); and *Bigotry and Violence in New Jersey* (1982).

[1] *The Washington Post*, June 3, 1982, p. 1.

[2] *Rocky Mountain News*, May 5, 1982, p. 1.

[3] U.S., Commission on Civil Rights, Southern Regional Office, Monthly Report, May 1982.

[4] *Michigan Report*, p. 6.

[5] *The Baltimore Sun*, May 18, 1982, p. 1.

The foregoing incidents illustrate the phenomenon of central concern in this statement, namely, intimidation and violence against racial and religious minorities that is rooted in unmitigated bigotry.

Working Definition

A *bigot* is "one obstinately or intolerantly devoted to his own church, party, belief, or opinion."[4] Bigotry in the context of this statement is a rigid intolerance of differences and of those who hold such differences. It is this blind unreasoned intolerance that makes racial and religious bigotry a form of racial and religious discrimination. When manifested in violent or intimidating ways, racial and religious bigotry represent a desire to deny the rights and freedoms of persons of different creed, color, race, or national origin. In sum, racial and religious bigotry result frequently in tactics to destroy "enemies" who are perceived as enemies only because they are "different." These tactics include a variety of efforts to intimidate, frighten, injure, ridicule, and, on occasion, kill those who hold different religious beliefs, subscribe to different cultural values, or exhibit racial characteristics unlike those of the bigot.

The particular focus of this statement, therefore, is upon the potential and actual denials of civil rights by groups or individuals whose racial and religious bigotry foment violence and social disruption. This Commission is concerned when the promulgation of hate and hostility based on extremist concepts of racial purity or religious certitude leads to illegal acts of force and violence. Lest the vision of America as a democratic and pluralistic society become a nightmare of hatred and divisiveness, we urge a heightened public awareness of the threat to civil rights posed by proponents of racial and religious bigotry.

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[4] *Webster's New Collegiate Dictionary* (1979).

Chapter 2

Extent and Significance of the Problem

Let me assure you that my agency does not regard these cross burnings and intimidations, defacements and other hate acts as pranks committed by a bunch of beer-drinking kids on a Saturday night. They are atrocities that are calculated and committed by haters of Jews, Hispanics, Blacks, Asian Americans, and other minorities—haters who are determined to destroy the social fabric and individual freedom that bind our nation together.[1]

Gilbert G. Pompa, Director
Community Relations Service
U.S. Department of Justice

Although it is impossible to measure with precision the extent of the problem of racial and religious bigotry in the United States, this chapter reviews the limited statistical data and shares the perceptions of knowledgeable observers in various parts of the country. In addition, the chapter focuses on the relationship of the problem to persistent racism and anti-Semitism.

Extent of the Problem

Not all acts of religious discrimination and bigotry are anti-Semitic in character, but statistical reports of such incidents are available and instructive. The Anti-Defamation League (ADL) of B'nai B'rith has compiled over the past several years a count of anti-Semitic "episodes" reported to its 27 regional offices across the country.[2] ADL records show that since 1978 there has been nearly a twentyfold increase in reported episodes of anti-Semitic vandalism (49 episodes in 1978, 120 in 1979, 377 in 1980, and 974 in 1981).[3] In 1980 the ADL began to compile statistics on reports of a more serious form of religious intimidation and violence, namely,

[1] Gilbert G. Pompa, "Rebuilding Bridges of Understanding in a Climate of Racial Hatred," *The Journal of Intergroup Relations*, vol. IX, no. 4 (1981–82), pp. 14–15.

[2] The most recent of these annual reports is *1981 Audit of Anti-Semitic Incidents* (Anti-Defamation League of B'nai B'rith, December 1981).

[3] Ibid., p. 1.

"assaults, mail and phone threats, and harassments." The number of such incidents reported in 1981 was more than triple the 1980 figure (350 to 112).[4]

With respect to the national distribution of anti-Semitic incidents,the ADL reports the following pattern:

> The states of New York (326), California (150), New Jersey (94) and Massachusetts (59) again reported the most incidents—roughly 65% of the total nationwide.
>
> The reports from California [150], Maryland (51) and Pennsylvania (50) show noticeable increases over 1980.
>
> Michigan (20), Illinois (28), Minnesota (26), Virginia (25) and Florida (24) constitute a second tier of states reporting 20 or more incidents of vandalism in 1981.
>
> The Northeast, with roughly half of the reported incidents, was once again the geographic area reporting the greatest number of episodes.
>
> While the reports from California show a marked increase over 1980, the other Pacific Coast states reported only scattered episodes.[5]

The data also indicated that most of those arrested in connection with these incidents were young persons and only a few had any known ties to organizations that espouse racial and religious bigotry. Specifically, the report said:

> During 1981, ADL received reports that 73 individuals had been arrested in connection with 39 episodes of anti-Semitic vandalism and that 62—85%—were 20 or under. The remaining 11 were adults, of whom six were arrested in connection with a single episode in Nashville, Tennessee. This involved an abortive plot to bomb a synagogue, allegedly hatched by persons having Ku Klux Klan or neo-Nazi affiliations. In only one other episode was there evidence of activity by organized hate groups—an episode in Indiana in which two adult males were arrested, one of them affiliated with a Klan group. In the remaining 972 incidents, there was no evidence of activity by such organizations.
>
> With respect to individuals arrested in connection with episodes of assault, threat, or harassment against Jews or Jewish institutions, 41 persons—35 of them, or 85%, youths under 20—were arrested in connection with 30 of the 350 episodes reported.
>
> In the Nashville synagogue bomb plot, three of the six persons arrested were convicted by a Tennessee jury late in November 1981. The other three are waiting trial.[6]

Although there are no definitive measures of the size and influence of Klan and neo-Nazi type organizations, reports from several State Advisory Committees to the U.S. Commission on Civil Rights provide useful observations. The Georgia Advisory Committee, for example, reports that Klan organizations in the South are growing in size and visibility. The

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[4] Ibid.

[5] Ibid., pp. 1-2.

[6] Ibid., pp. 2-3.

Committee also reports that recent Klan meetings are attracting large numbers of sympathizers and the rhetoric of hatred and violence appears to be increasing.[7]

The Connecticut Advisory Committee, on the other hand, reports that attempts by the Klan to gain a large following in the State have met with little success, and evidence of *organized* hate group activity (i.e., acts of violence or terrorism attributed or confessed to by a particular organization) is slim. Nonetheless, public officials believe the incidents themselves are serious and bear watching.[8]

Similarly, the West Virginia Advisory Committee reports that proven hate group activity during the past 2 years has been sporadic and limited, and confined mostly to the northern part of the State. The several incidents documented, however, show clear signs of the intention to terrorize and humiliate racial minorities or white persons who allow or encourage racial integration.[9]

The Michigan Advisory Committee reported that State officials have conflicting views on whether or not criminal violence based on race, religion, or ethnicity has increased in recent years. "Some see an increase, others a decrease. Some see an increase in individual acts but claim there is no problem with organized group violence. Yet virtually all acknowledge that racially and religiously motivated violence is a serious problem."[10]

The New Jersey Advisory Committee reports a recent spate of arson, assaults, and vandalism with the suspected motivation of racial and religious bigotry. Much of the activity is attributed to juveniles according to then Attorney General James R. Zazzali, but he, like others, hastened to add that this conclusion was "not intended to diminish the seriousness of the problem. . . .The victims of such an occurrence suffer great anxiety and trauma."[11]

The California Fair Employment and Housing Commission held public hearings in October 1981 on racial, ethnic, and religious violence in Contra Costa County. Among the commission's findings were the following:

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[7] Georgia Advisory Committee to the U.S. Commission on Civil Rights, *Perceptions of Hate Group Activity in Georgia* (1982), pp. 2, 3, 8, 11, 30 (hereafter cited as *Georgia Report).*

[8] Connecticut Advisory Committee to the U.S. Commission on Civil Rights, *Hate Groups and Acts of Bigotry: Connecticut's Response* (1982), pp. 71–75.

[9] West Virginia Advisory Committee to the U.S. Commission on Civil Rights, *Violence and Bigotry in West Virginia* (1982), pp. 1, 3–4.

[10] Michigan Advisory Committee to the U.S. Commission on Civil Rights, *Hate Groups in Michigan: A Sham or A Shame* (1982), p. 9.

[11] New Jersey Advisory Committee to the U.S. Commission on Civil Rights, *Bigotry and Violence in New Jersey* (1982), p. 5.

- Black, Hispanic, and other minority families have been subjected to terrorist acts of racial violence and harassment including physical attacks, deliberately set fires, shootings, threats, and assaults with motor vehicles.[12]

- The Ku Klux Klan is present and actively recruiting members in the county.[13]

- There are indications that the Klan in California is stockpiling weapons and conducting paramilitary training.[14]

The foregoing information strongly suggests that acts of racial and religious bigotry, whether attributed to individuals or groups, represent a significant problem in various parts of the country.

Significance of the Problem

The significance of the problem does not lie exclusively in the existence and activity of particular organizations that promulgate spurious doctrines of racial superiority and advocate religious persecution. These groups are small in number, split into competing factions, and weakened by internal struggles for dominance.[15] What is significant, however, is the fact that these groups advocate openly the racist and discriminatory beliefs that survive in individuals and institutions despite efforts at their eradication. Were hatred and violence based on race, religion, or national origin practiced only by members of such groups, the problem would pale in scope as well as significance. Not all anti-Semites join a neo-Nazi organization, but every anti-Semite is a threat to the religious freedom of others. Not all racists join a hooded order, but every person who holds his or her own race to be superior or inviolate denigrates another and threatens its survival. Not every person who believes his or her culture, race, or religion is in jeopardy takes to paramilitary training, but every person who does so and gains the weaponry and skills requisite to armed violence is a menace to social cohesion and tranquility. In the final analysis, the problem is the continuing existence of racism and anti-Semitism that surface in the acts of some individuals and compose the rhetoric of a number of extremist organizations.

That an undercurrent of racism and religious prejudice persists is evidenced by the very fact that groups espousing such views persist. One nationally known scholar of violence in America pointed to this symbiotic relationship in the context of discussing contemporary Klan and Nazi organizations:

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[12] State of California, *Report and Recommendations of the California Fair Employment and Housing Commission: Public Hearings on Racial, Ethnic and Religious Conflict in Contra Costa County* (1982), p. 4. For additional background see pp. 42–52.

[13] Ibid., pp. 4, 42–52.

[14] Ibid.

[15] *Georgia Report*, pp. 2, 4.

Historically, anti-democratic groups using violent means have been able to flourish when their causes were supported by public opinion and when local and federal officials followed a policy of "benign neglect" toward them. In these circumstances anti-democrats often achieved their immediate objectives. They lost ground when public sympathies shifted against them and when governments took concerted counter-action. Anti-democratic groups cannot flourish without the tacit support or tolerance of public officials. Once law enforcement agencies and the courts take strong and consistent action against the illegal acts of these groups, they begin to lose their credibility and effectiveness.[16]

Prejudice and animosity survive, not just in organizations known for creating divisive tension and intimidation, but also in numerous acts of religious and racial violence committed by persons similarly infected. Although the organizations themselves and the ideas expressed by their spokespersons are repugnant to most Americans, their significance to the Commission rests in the fact that such ideas are often expressed in illegal acts of discrimination against racial and religious minorities. In the next chapter, an attempt is made to identify the probable causes and contributing circumstances of such behavior. By understanding the causes and precipitative mechanisms, it may be possible to identify some useful remedies.

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[16] Ted Robert Gurr, statement, in U.S., Congress, House, Committee on the Judiciary, Subcommittee on Crime, *Increasing Violence Against Minorities*, 96th Cong., 2d sess. (Dec. 9, 1980).

Chapter 3

Probable Causes and Contributing Circumstances

The enemy that cannot be readily identified is the combination of joblessness, economic deprivation, frustration, and anger. . . .These problems have a more severe consequence than the message of hate and threats of violence expressed by hate groups.[1]

Kevin J. Knight
Executive Director
Wheeling Human Rights Commission

A fundamental cause of bigotry-bred violence in the United States, according to every report from the Commission's State Advisory Committees, and others who have studied the problem, is the continuing presence and tenacious survival of deep-seated racism and anti-Semitism. One author, a Roman Catholic theologian, documents in scholarly detail the persistence through history of anti-Semitism and traces its manifestations from the classical Greek period to the present time.[2] Edward H. Flannery's historical analysis of religious bigotry suggests that all forms of hostile prejudice against members of a particular group are often rooted in narrow theological concepts. These theological underpinnings account for the fact that institutionalized forms of racism and anti-Semitism frequently take on the appearance of religion itself, as well as the fact that acts of intimidation and violence are encouraged and perpetrated at times with zealous devotion to a contrived and convoluted set of racist beliefs.

The foregoing insights are illustrated in two major and infamous historical developments: the treatment of Jews in Nazi Germany and perpetuation by the colonial settlers of America of the institution of slavery. The fanaticism of the Holocaust and the dehumanizing bondage of blacks in the United

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[1] West Virginia Advisory Committee to the U.S. Commission on Civil Rights, *Violence and Bigotry in West Virginia* (1982), p. 13 (hereafter cited as *West Virginia Report).*

[2] Edward H. Flannery, *The Anguish of the Jews* (New York: Macmillan, 1965).

States provide evidence of the depths of degradation to which humanity can descend when bigotry and intolerance are institutionalized and officially condoned. In these situations the zeal of the racial and religious bigot can be seen clearly as ultimately antireligious, antidemocratic, and a perversion of humanistic as well as theological ideals.

Though contemporary America will never become a latter-day Nazi state or repeat the ignominy of slavery, the inescapable fact remains that the perverse traits of racism and anti-Semitism exist and are expressed in alarming, sometimes violent, ways by individuals and groups who make no secret of their prejudice against racial and religious minorities. It should also be clear that racism and anti-Semitism are not *caused* by Klan and Nazi-like organizations; these groups simply attract persons whose anti-black, anti-Jewish, and antiforeigner beliefs are already developed. The organizations provide an enclave of support for expressing and implementing ideas that are formed by a host of other influences encountered in the family, schools, and other situations.

This observation is not made to minimize concern over the groups themselves and the crucial role they play. Some reported acts of racial and religious intimidation are committed by persons who are said to have, or profess to have, past or present connections with organizations that preach hatred and advocate violence to vent that hatred. Even the perpetrators with no known or professed connection with such groups are clearly imitators of them and adopt their symbols of terror—the swastika, the burning cross, and the graffiti of hate and intimidation. In all cases, however, a major role of extremist groups is to provide the rhetoric of justification for acts perpetrated either by the groups themselves or individual imitators. As far as the victims are concerned, it matters little whether a group or an individual is responsible for the act; the terrorizing effects are the same.

Another role of hate groups, more ominous than the rhetoric of hate and the advocacy of violence, has emerged over the past several years. Paramilitary training sites have been established where persons are trained in the use of sophisticated weapons, the manufacture of explosive devices, and the skills of guerrilla warfare. It is claimed that these tactics are intended to prepare members to defend "the faith" from the enemies of "White Christian America" or to ensure survival in an anticipated race war.[1]

Ted Gurr, an authority on violence in America, gave still another reason for taking these groups seriously when before the Subcommittee on Crime of the House Judiciary Committee he identified a characteristic that runs directly counter to the American political tradition. Professor Gurr said:

[1] Georgia Advisory Committee to the U.S. Commission on Civil Rights, *Perceptions of Hate Group Activity in Georgia* (1982), pp. 2, 3.

The contemporary Ku Klux Klan, National Socialist Party, and similar extremist groups are distinctively *anti-democratic*[4] in their political beliefs and practices. The victims of anti-democratic violence have included, but were not limited to, ethnic minorities (blacks, Mexican-Americans) and religious minorities (Catholics, Jews). Whites of Protestant background also were often victimized because of their alleged criminality, immorality, or radical political views. Black Americans are not the only ones who need fear the resurgence of anti-democratic groups.[5]

Although one cause of racial and religious terrorism is widely acknowledged as being the persistence of racism and anti-Semitism, public officials and community leaders who provided information to the Commission's Advisory Committees were in agreement in identifying a number of circumstances and perceptions that contribute to the precipitation and exacerbation of overt acts of violence. These contributing circumstances include economic conditions, the mechanism of scapegoating, media treatment of advocates of violence, perceptions of retrenchment in civil rights enforcement, and failure on the part of law enforcement agencies to respond appropriately to specific incidents.

Economic Conditions and Scapegoating

Rising unemployment, business failures, cuts in government programs and subsidies, increases in mortgage defaults, shrinking retail sales, drastic declines in housing starts, and troubles in the auto industry—these are the major components of the daily litany of economic news. Although these conditions adversely affect a wide and widening segment of the population, they are known to have particularly severe repercussions on the poor and on racial minorities.[6] Such circumstances do not create bigots or cause acts of violence against racial and religious minorities, but coupled with the human propensity to find someone to blame, these conditions give rise to scapegoating, wherein negative and retaliatory feelings toward those perceived as causing economic difficulties are heightened. Under such circumstances, some whites who are severely affected by current economic hardships believe that their hard times result from "reverse discrimination" in employment and a tax burden imposed upon them to support government programs that in their view provide undeserved advantages to minorities.

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[4] Professor Gurr characterizes these groups as "anti-democratic" because of "two characteristics that set them sharply apart from almost all other groups on the right of the American political spectrum. First, they reject some basic principles of democratic American society. They are prepared to deny equality of treatment or opportunity to ethnic and religious minorities, and they oppose the free expression of political and social opinions which contradict their own views. Second, they are prepared, collectively, if not in all individual instances, to use violence and to provoke violent confrontations in order to promote their objectives." The total statement and oral testimony appear in U.S., Congress, House, Committee on the Judiciary, Subcommittee on Crime, *Increasing Violence Against Minorities*, 96th Cong., 2nd sess. (Dec. 9, 1980), pp. 4–23 (hereafter cited as *Increasing Violence Against Minorities*).

[5] *Increasing Violence Against Minorities*, p. 2.

[6] See U.S., Commission on Civil Rights, *Civil Rights: A National Not a Special Interest* (1982).

The report of the Commission's Advisory Committee in Michigan expands on the theme that economic difficulties intensify the appeal of extremist groups to some whites who feel they must compete unfairly with blacks and other minorities for fewer jobs and shrinking resources:

> Private organizations in Michigan ranging from New Detroit to the Detroit Urban League have drawn similar conclusions. Public officials including U.S. Attorney Gilman, Wayne County Sheriff Lucas and representatives of the Detroit Department of Human Rights, the Saginaw Human Relations Department, and the Detroit Mayor's office have also pointed to the depressed economy. As Alexander Luvall, Special Assistant to the Mayor of Detroit observed, "when the economy is bad, it seems like the Klan starts marching again."[7]

Herbert Henderson, president of the West Virginia NAACP, put the matter succinctly when he said, "I think it's now a matter of economic concerns on the part of many people. You have got to have somebody to keep down."[8] Huntington, West Virginia, city council member Joseph L. Williams commented:

> Many of the majority members of our Nation are resentful of minorities, especially upward mobility. And, as I said. . .unemployment will be across the board. It has been and I see no reason why it's going to change, that minorities are made the scapegoats. This, in itself, creates racial tension and the possibility of racial violence.[9]

Professor Gurr also described the role of economic conditions and added additional insight:

> We know that most of the historical episodes of anti-democratic action occurred in times, in places and among people who suffered from economic dislocation. They often suffered from or feared some combination of the loss of their means of livelihood, job competition from minorities, rises in prices, shortage of goods and decline in their economic status.
>
> The evidence suggests that people who hold anti-democratic beliefs today are more likely than not to be economically marginal. They also tend to live in rural and small town America, areas where wages tend to be lower and economic opportunities fewer. These are the people who are most likely to be especially hard-pressed by current inflation, by rising unemployment, and by static or declining real wages.
>
> Their grievances in those circumstances tend to focus on the Federal Government and on minorities: on the Federal Government because of tax policies, and because they believe Federal spending policies have contributed to inflation; and minorities because they are believed to receive unfair advantage from Government programs.[10]

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[7] Michigan Advisory Committee to the U.S. Commission on Civil Rights, *Hate Groups in Michigan: A Sham or a Shame* (1982), p. 16 (hereafter cited as *Michigan Report*).

[8] *West Virginia Report*, p. 9.

[9] Ibid., p. 9.

[10] Gurr Statement, *Increasing Violence Against Minorities*, pp. 7–8.

Media Treatment

White robes, masked hoods, storm trooper uniforms, swastika arm bands, and visible automatic weapons understandably attract media attention. Furthermore, the wearers of such regalia are hungry for press coverage and not beyond staging media events in an effort to spread the message of hostility and intimidation.

Journalist Dean Calbreath, writing for the *Columbia Journalism Review*, admits that he himself was used by the Klan and unwittingly served its publicity purposes on many occasions. He also describes how other elements of the mass media have been similarly duped. Calbreath quotes one former Klan official as having claimed: "We used the press. We lied and did anything we could to make reporters happy. We intentionally staged things just to get coverage."[11]

Although the press has a responsibility to report the news, it has not always done so with accuracy and appropriate perspective. Often statements, patently false, go unchallenged by interviewers of hate group spokespersons, thereby perpetuating stereotypic myths about racial and religious minorities. When the significance of events is exaggerated or inordinate attention is paid to minor side issues, the coverage is distorted. An example cited by the Michigan Advisory Committee illustrates the problem: "While over 3,000 attended the celebration [of the thirty-third anniversary of Israel] most of the media attention went to fewer than 20 Nazis who briefly demonstrated."[12]

Retrenchments in Civil Rights Enforcement

There is a widespread perception that the Federal Government is relaxing its enforcement posture in the area of civil rights and cutting back on social programs that have benefited many Americans. These retrenchments are viewed by some as a necessary and temporary expedient to ensure long-term economic recovery.[13] Bigots, however, are quick to interpret these initiatives as a lack of government concern for minorities who are now fair game for attacks that are expected to go unchallenged.[14]

In addition to the perception that government authority will not be imposed upon violators of civil rights, there are those who assume that the current shift toward a conservative political philosophy gives them license to express and act out their racial and religious hostility. These people frequently describe themselves as true (white) patriots who place (white) America first and are prepared to defend (white) democracy from its enemies. Professor Gurr points out:

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[11] "Kovering the Klan: How the Press Gets Tricked into Boosting the KKK," *Columbia Journalism Review*, March/April 1981, pp. 42–45.

[12] *Michigan Report*, p. 20.

[13] See U.S., Commission on Civil Rights, *The Federal Civil Rights Enforcement Budget: Fiscal Year 1983* (1982), and *Civil Rights: A National Not A Special Interest* (1982).

[14] *Michigan Report*, pp. 16–17.

I want to make it very clear that anti-democratic attitudes of the kinds I have identified are not part of the American conservative philosophy.

At best they are a perversion, an extremist formulation of some aspects of conservative thought. In general it has become more widely acceptable to oppose equal rights for women, to support legislation against forced busing, to restrict affirmative action programs and to oppose government intervention in social and economic affairs. These policy preferences all are associated in the public's eye with conservatism. Why not go several steps further and retaliate against the liberals, the blacks, the public officials who are responsible for, or who benefit from, these kinds of programs and activities?

I am suggesting that this is the kind of mental process going on among people whom I have called anti-democratic. Right wing anti-democratic views probably are not more common now than they were 15 years ago. What has changed is that the shift in general public opinion has led extremists to feel that it has become more acceptable to express their views openly and to act upon them.[14]

Law Enforcement Response

Effective police responses to incidents of racial and religious violence are necessary to keep such incidents from spreading. If the police fail to respond, or respond in ways that clearly demonstrate a lack of sensitivity, perpetrators can interpret the police inactivity as official sympathy or even sanction. A knowledgeable observer expressed the importance of effective official response well when he said:

What is problematic, at least for members of anti-democratic organizations, is how much the police, prosecutors, judges, and juries are prepared to let them accomplish without imposing legal sanctions. What the Klans and the neo-Nazis are doing now can be regarded as a kind of testing, both of public opinion and of official response. Official responses which are tolerant, apathetic, or simply ineffective are likely to encourage more extremist action.[15]

The effectiveness of police response is enhanced when the racial, ethnic, and religious composition of the force reflects the community it serves. Although writing about factors that may precipitate urban race riots, Morris Janowitz cites a study that sheds light on this contributing factor to effective police response. The carefully matched comparison of riot and nonriot cities by Lieberson and Silverman, covering 76 race riots between 1913 and 1963, revealed that riots are less likely to occur in "cities with more racially integrated police forces."[17]

The Commission's Michigan Advisory Committee highlighted the importance of integrated police forces in responding effectively to incidents of racial and religious violence. Among the Committee's major findings was: "The

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[14] Gurr Statement, *Increasing Violence Against Minorities*, p. 8.

[15] Ibid.

[17] Morris Janowitz, "Collective Racial Violence," in R. Graham & T.R. Gurr, eds., *Violence in America* (Beverly Hills & London: Sage Publications, 1979), chap. 9, p. 263.

Detroit Police Department has been particularly effective in responding promptly to reported incidents, in part because the racial and ethnic composition of the personnel reflects that of the community."[18]

Another factor that affects police response is the widespread lack of hard, comprehensive, and comparative data concerning the number, location, and types of crime that are motivated by racial or religious bigotry. The slaying of a spouse in a domestic quarrel and the murder of a black person for "race-mixing" are both reflected in crime statistics as homicides. This Commission has learned of the existence of only one mandatory statewide effort to gather and report discretely those crimes apparently motivated by racial and religious bigotry.[19] Police and community response can be affected adversely by the absence of reliable data on criminal violence motivated by bigotry because this gap in knowledge makes it difficult for police to measure trends,develop enforcement strategies, and allocate personnel. The lack of data also impairs the ability of policymakers and other concerned groups and individuals to assess the extent of the problem and develop adequate measures of prevention.

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[18] *Michigan Report*, p. 35.

[19] See chapter 4 regarding this initiative in Maryland. Md. Ann. Code art. 88B, §§9–10 (Supp. 1981).

Chapter 4

Promising Responses

. . .we are a nation of reactors. . . .particularly in my line of work you know exactly what's going to happen, you tell people about it in advance, and they pooh-pooh it, they put it off, and then the catastrophe comes. . . .And damn it, after it happens, then somehow money is found and a half-way attempt is made to put it back together.[1]

William Lucas, Sheriff
Wayne County, Michigan

A specific focus of the State Advisory Committee studies was the strategies State and local governments and community leaders have developed or would recommend to counter the growing influence of extremist groups and to minimize the number of outbreaks of racial and religious violence. The strategies of response used or proposed grew quite naturally out of perceptions of the nature of the problem, its basic cause, and precipitating circumstances.

With respect to the fundamental cause, i.e., the persistence of racism and anti-Semitism, there are no easy or quick solutions. Identified responses to this aspect of the problem involved the modification of school curricula and other steps to increase public awareness of the problem and its deep-seated nature. Among the contributing circumstances, problems of the economy appear equally intractable and lie outside the scope of this statement. Initiatives have been taken, however, by law enforcement agencies and community leaders to deal with other exacerbating conditions identified in the previous chapter.

Education and Public Awareness

In 1981 three educational organizations pooled their resources to develop and distribute a teacher's kit on the Ku Klux Klan. It provides teachers with

[1] Michigan Advisory Committee to the U.S. Commission on Civil Rights, *Hate Groups in Michigan: A Sham or a Shame* (1982), p. 29 (hereaftercited as *Michigan Report).*

information about the Klan and contains "instructional procedures and resources for bringing the truth about the Klan to light in the classroom."[2] The organizations responsible for its development are the National Education Association, the Connecticut Education Association, and the Council on Interracial Books for Children (CIBC). According to Brad Chambers of CIBC, the repository and sales agent for the kit, the response from school systems has been positive, and a few, including the State of Maryland, have adopted the curriculum officially. Chambers also reported that the National Anti-Klan Network[3] plans to work this year with school systems to encourage its adoption nationwide.[4]

More recently, the Anti-Defamation League of B'nai B'rith has published *Extremist Groups in the United States: A Curriculum Guide.* It is an extensive treatment of the subject that deals with extremist groups on the left as well as the Klan and other right wing groups and contains a section on how a democratic society can best cope with extremism.[5]

The Michigan Advisory Committee learned of promising educational developments in that State:

> The Michigan Department of Civil Rights, the Detroit Human Rights Commission and Human Rights Department have called for the teaching of racial and religious minority experiences, focusing on the effects of racism and anti-Semitism, in public and private schools. The Detroit public schools have already taken such action. Studies of racial and religious hatred are currently being built into the curriculum for all students from kindergarten through grade twelve. Among the subjects to be included are the philosophy, origins, institutions, and personalities of the Nazi movement of the 1930s and 1940s; persecution and genocide of the Jews; mass killings of Armenians; history of the Atlantic slave trade; and the dispossessing and killing of American Indians.[6]

In addition to efforts to instruct youth about the nature and dangers of racial and religious violence, steps have been taken by public and private bodies to gather information and share it widely so as to increase community understanding of the problem and to curtail its manifestations.

Examples of private group initiative are Klanwatch and the National Anti-Klan Network. Klanwatch is engaged primarily in factfinding activities and the provision of legal services.[7] The information it collects is disseminated through a bimonthly newsletter called *Intelligence Report*[8] and an occasional

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[2] *Violence, the Ku Klux Klan and the Struggle for Equality: An Informational and Instructional Kit* (1981), 72 pp. CIBC, 1841 Broadway, N.Y., N.Y. 10023.

[3] The National Anti-Klan Network, headquartered in Atlanta, is described later on in this chapter.

[4] Telephone interview, June 17, 1982.

[5] ADL, *Extremist Groups in the United States: A Curriculum Guide* (New York: 1982), 313 pp.

[6] *Michigan Report*, p. 25.

[7] Klanwatch is a project of the Southern Poverty Law Center, 1001 S. Hull Street, Montgomery, Ala. 36101.

[8] "KLANWATCH," a brochure describing the project (undated).

Special Report that describes specific aspects of Klan activity. The latter is especially useful as a classroom resource and for other educational purposes. In a brochure describing the Klanwatch project, the following information services are listed:

For Media:

- Facts on Klan activities, leaders, and groups
- Referrals to interview subjects
- Bibliographies of Klan-related materials
- Photo archives
- Summaries of legal activities against the Klan

For Lawyers:

- Briefs, motions and other legal tools
- Strategies for protecting communities and individuals from the Klan
- Consultation on active or potential cases

For Law Enforcement Agencies:

- Photo archives for identification of Klan members
- Summaries of activities of Klan leaders
- Information relative to potential criminal acts

For Educational Groups:

- Materials for programs
- Speakers (limited availability)
- Bibliographies of Klan-related materials[9]

Another private entity is the National Anti-Klan Network. It consists of a coalition of numerous organizations concerned about racial and religious bigotry and interested in the development of programs to combat racism:

> The [National] Anti-Klan Network was initially formed in 1979 in Norfolk, Virginia at the Southern Christian Leadership Conference (SCLC) Annual Meeting. The Network was deemed necessary as a result of Klan actions in Decatur, Alabama and the Klan/Communist Workers Party confrontation in Greensboro, North Carolina. Although SCLC sponsored the creation of the Anti-Klan Network, it is supported by 150 organizations that provide financial and volunteer personnel for its activities.
>
> The Anti-Klan Network is directed by Rev. C. T. Vivian, with its national headquarters in Atlanta, Georgia. They publish a newsletter depicting Klan activity which is distributed nationally. In addition, they sponsor anti-Klan conferences and workshops interfacing with other civil rights organizations in combating the rising Klan influence.

[9] Ibid.

The Anti-Klan Network not only monitors the activities of the Klan, but intercedes on behalf of its victims. This is done through counter-demonstrations and interaction with local officials where Klan activity is or has taken place. On the legal front they have filed nine lawsuits against the Klan, and are presently engaged in public lobbying designed to encourage the Reagan Administration to move to enforce Federal laws against organized violence. In addition, the Network. . .is attempting to educate students in junior and senior high schools on how to deal with the Ku Klux Klan and racially motivated violence. The organization is the fastest growing anti-hate group operation in America and is viewed as having great potential.[10]

There are other private organizations that monitor extremist activities and distribute materials that have an educational value. Two that are well known and have a long history of involvement are the Anti-Defamation League of B'nai B'rith (ADL) and the National Association for the Advancement of Colored People through its creation in 1981 of the "Klan Alert."[11]

With respect to public sector activity, in the fall of 1981 this Commission asked its 10 regional offices to determine the number and nature of official task forces or commissions established by Governors or local officials in specific response to the problem of racially and religiously motivated violence.[12] Listed here by State are public bodies of this nature identified in response to this request.

California:
- Governor's Task Force on Civil Rights

Connecticut:
- Governor's Commission on Racial Harmony
- Racial Tension Commission (City of Meriden)

Maryland:
- Governor's Task Force on Violence and Extremism
- Coordinating Committee on Hate/Violence (Montgomery County)
- Violence Task Force (Harford County)

Massachusetts:
- The Boston Committee

New York:
- Interracial Task Force (set up by the Nassau County Human Rights Commission)

Pennsylvania:
- Governor's Civil Tension Task Force
- Civil Tensions Task Force (Allegheny County)

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[10] Bobby Doctor, Director, Southern Regional Office, U.S. Commission on Civil Rights, memorandum to John I. Binkley, Deputy Director, Office of Regional Programs, Nov. 15, 1981.

[11] ADL is headquartered at 823 United Nations Plaza, N.Y., N.Y. 10017. NAACP national headquarters are at 1790 Broadway, N.Y., N.Y. 10019.

[12] John I. Binkley, Deputy Director, Office of Regional Programs, U.S. Commission on Civil Rights, memorandum to regional directors, "Strategies to Combat Hatred and Violence," Sept. 28, 1981. Replies to this memorandum will hereafter be cited as *Regional Response.*

Rhode Island:

Commission on Religious, Racial and Ethnic Harassment

West Virginia:

Task Force for Human and Civil Rights (Logan County)

Human Relations Task Force (Mercer County Public Schools)

In addition to these specifically created public bodies (and others that may have been overlooked or established since this information was gathered), the regional office responses pointed to the fact that most existing State and local civil rights or human relations agencies are concerned about and active in dealing with bigotry-based violence. Where special task forces were specifically created, however, they served a useful role. A description of one county-level committee was provided by the Mid-Atlantic Regional Office:

> The (Montgomery County, Maryland) Coordinating Committee on Hate/Violence evolved out of a June 1981 Community Leaders Meeting, convened by County Executive Charles W. Gilchrist and County Council President Ruth Spector. The session involved approximately 100 individuals who unanimously agreed that violence and bigotry must be confronted head on.
>
> The following month, the County Executive and the President of the County Council appointed members who now number 13, including representatives of the County School Board and School Superintendent, the Human Relations Commission, the County Police Department, and the State Attorney's Office. The other members are representatives of civic and religious organizations and business and labor. Chairing the. . .[Committee] is the Executive Director of the County Human Relations Commission (MCHRC).
>
> Four objectives have been set for the Coordinating Committee: 1) ascertaining the needs of County residents and obtaining information and recommendations from County agencies involved in combatting hate group activities; 2) obtaining commitments from government, schools, religious organizations, business, labor, and the media to help combat hate group activities; 3) apprising County residents about the problem and developing educational programs on its causes and ways to respond; and 4) educating human service personnel in ways to assist victims.
>
> For example, as a result of Coordinating Committee efforts the National Conference of Christians and Jews is developing a communications network among religious leaders, the County Council of PTAs is planning training workshops for its local units, and a. . .symposium. . .to brief business executives and entrepreneurs about how bigotry can be combatted.
>
> One community relations specialist, located in the County Human Relations Commission, staffs the Coordinating Committee and works with the MCHRC to address hate/violence activities full time. In terms of accountability, the Committee has no formal mandate, but acts as a government/private coordinating body which reports back to the County Executive and the County Council President. . . .The Committee meets monthly.[11]

[11] Mid-Atlantic Regional Office, *Regional Response*, Nov. 15, 1981, pp. 5-6.

Another group created in specific response to hate group activity was described by the New England Regional Office:

The Rhode Island Coalition Against Bigotry (RICAB) was established in the spring of 1981 in response to an increasing number of neo-Nazi activities in the State. The coalition includes respresentatives from some 30 organizations from across the State ranging from public agencies such as the Rhode Island Commission on Human Rights to private organizations such as the Rhode Island Council of Churches.

RICAB has six stated goals: information gathering, analysis and dissemination; encouraging State and local officials to condemn racist and anti-Semitic activity and harassment; development of standardized responses to such activities; enlistment of educational and religious institutions for statewide activities to combat racism and anti-Semitism; enlistment of news media to provide unsensational coverage of such activities; and encouragement of the promulgation and enforcement of legislation to prohibit such acts.

RICAB was instrumental in the drafting and passage of the 1981 law which makes defamation and harassment a felony.[14]

Improving Police Intervention

The Advisory Committees report that a number of police departments have responded to the increase in acts of racial and religious violence by forming specialized units. These units are responsible for gathering intelligence, preventing illegal acts and conspiracies, and swiftly apprehending persons who commit racially or religiously motivated crime.. In Boston a community disorders unit was created by special order of the police commissioner. The New England Regional Office described its work:

The unit works closely with district police personnel, assisting them in identifying and investigating crimes which are racially motivated. . . .[It] has been successful in educating the rest of the department about the seriousness of racially motivated crimes [and]. . .diligent in investigating [them]. . .[It also] works closely with the Civil Rights Division of the State Attorney General's Office and the local district attorney in prosecuting these cases. According to the director of the unit, in neighborhoods where civil rights violations have been successfully prosecuted, the number of such incidents has decreased.[15]

In Providence, Rhode Island, a somewhat different approach was taken:

An undercover police unit called the Terrorist-Extremist Suppression Team was formed by the Mayor and the Police Chief to track the Klan, neo-Nazis and other extremist groups. Formed in May [1981], the Mayor explained that its members are experienced officers who would work full-time to obtain information. In July, evidence against five members of extremist groups was presented to a jury. . . .The unit functions as an independent unit within the department to investigate all complaints of harassment which fall under both new and old laws. The unit is under the direct supervision of the chief of police. . . .Thus far the unit has generated evidence

[14] New England Regional Office, *Regional Response*, Nov. 13, 1981, p. 6.
[15] Ibid., pp. 4–5.

presented to the grand jury based on old laws as well as the recent statute. [The police chief] believes that the long-term success of the unit depends on the public's awareness and utilization of it. He reported that the unit is in contact with ADL and is working with other community groups to encourage community support.[16]

Another police strategy was employed to respond to a planned Klan rally in Windham, Connecticut. Since earlier rallies in the State led to violence, the State's chief attorney and the head of the State department of public safety were able to obtain a court order banning weapons and allowing the State police to search persons going to the site and their vehicles. As a result of this authority and the announced intention to use it, violence was avoided.[17]

Prompt and effective police response to reported incidents requires careful, detailed planning. The Michigan Advisory Committee described the process used in Saginaw:

In anticipation of potential disruptions, the city of Saginaw drew together representatives of the Human Relations Commission, law enforcement agencies, business leaders, media representatives and other community leaders to develop an appropriate response. An emergency mobilization plan for police personnel was created which spelled out lines of authority, operational procedures, use-of-force policies, procedures for arresting juveniles and adults, where individuals would be temporarily held, and guidelines governing other contingencies.[18]

It is conceivable that some of these attempts to improve law enforcement, i.e., those having to do with heightened surveillance and undercover operations, could border on questionable or illegal invasions of privacy. In the Providence situation, for example, the American Civil Liberties Union has expressed concern that the undercover team poses a possible threat to first amendment rights.[19] Similar questions were raised about the State police searches connected with a Klan rally in Windham, Connecticut.[20] In any event, care must be exercised to ensure that all measures taken are proper and lawful. To violate constitutional liberties in order to protect civil rights would be self-defeating. It is improper to fight extremism with extremism.

Legislative Initiatives

During the last 2 years, legislatures in 13 States have passed a total of 18 bills dealing with the problem of racial and religious terrorism. Many other laws have been introduced and debated. Some have failed passage, and the outcome of others is unknown. Most of those passed treat acts of harassment, intimidation, and destruction or defacement of property as serious criminal offenses and provide increased penalties. A few outlaw the wearing of masks

[16] Ibid., p. 11.
[17] Ibid., p. 12.
[18] *Michigan Report*, p. 23.
[19] New England Regional Office, *Regional Response*, Nov. 13, 1981, p. 15.
[20] Ibid., p. 12.

and carrying of weapons under specified circumstances, two prohibit paramilitary training camps, and one provides for the gathering of statistical data on criminal activity related to bigotry and violence.[21]

Questions have arisen over constitutional protections regarding some of these laws similar to questions raised about police procedures described earlier. Some have also been criticized as being too vague to ensure successful prosecution. In Colorado, for example, a bill meant to ban paramilitary camps was evaluated by staff of the Commission's Rocky Mountain Regional Office:

> The Anti-Defamation League, supported by the Denver director of the National Conference of Christians and Jews, proposed a bill in the 1981 legislature purportedly aimed at banning paramilitary camps. Written by ADL, the proposed law, which passed the Colorado Senate and died in House Committee, was a loosely drafted attempt at a criminal statute without the basic elements necessary to establish a crime. The bill would have made it a felony to teach someone to use a weapon with knowledge that [the persons] would use the weapon in a hate group type activity. Obviously, it would be nearly impossible to prove knowledge or a nexus between the act of teaching and another person's threatening activity with a weapon. In actuality, the bill attempted to establish vicarious liability that probably would put no one in jail. ADL maintains, however, that the bill is about to become law in California and at least two other States.[22]

In Maryland, a recent law requires that all State and local law enforcement agencies use a standard system for reporting "incidents apparently directed against racial, religious, or ethnic groups."[23] This law is unique in that it deals with crime statistics; it is the only measure in the country that requires a separate statewide reporting system of crimes that are racially or religiously motivated.[24] Nor is any similar effort made at the national level as indicated by the Terrorism Section chief in the Criminal Investigative Division of the FBI:

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[21] In California, Cal. Code of Civil Proc., §527.7 (1982) and Cal. Penal Code, §§11410 and 11411; in Connecticut, 1980 Conn. Acts 54 (Reg. Sess.) (codified at Conn. Gen. Stat. Ann §§53–57 (West 1982)) and 1982 Conn. Acts 14 (Reg. Sess) and 1981 Conn. Acts 243 (Reg. Sess.); in Florida, Fla. Stat §775.0845 (1981) and Fla. Stat. §876.155 (1981); in Maryland, Md. Ann. Code art. 88B §9–10 (Supp. 1981) and Md. Crim. Law Code Ann. §10(A) (1981); in Massachusetts, 1979 Mass. Acts 801 (codified at Mass. Gen. Laws Ann. ch. 12, §III I–II H, and ch. 265, §37 (West 1982)); in New Jersey, P.L. 1981 ch. 282 (1981); in New York, 2 McKinney Sess. Laws, ch. 870, §40–C (1981) and 1 McKinney Sess. Laws, ch. 76 §28 (1981); in North Carolina, N.C. Gen. Stat §880 (1981) and Sess. Laws (1981); in Oregon, Or. Rev. Stat. 166.155 §166.165 (Crim. Code) and Or. Rev. Stat. 30.190 & 30.2000 (Civ. Code) (1981); in Pennsylvania, 18 Pa. Cons. Stat. §5515; Act 138 (June 11, 1982); in Rhode Island, 1981 R.I. Pub. Laws 60 (codified at R.I. Gen. Laws §11–53–1, 11–53–2 (1981); in Tennessee, Tenn. Code Ann. §38–2810 (1981); in Washington, Wash. Rev. Code 9A. 36.080 (1981).

[22] Rocky Mountain Regional Office, *RegionalResponse*, Nov. 10, 1981, p. 4.

[23] Md. Ann. Code art. 88B, §§9–10 (Supp. 1981).

[24] Mid-Atlantic Regional Office, *Regional Response*, Nov. 15, 1981, p. 17.

The FBI does not keep separate statistics on incidents of racially or religiously motivated violence. Any information on such incidents would be grouped with all other violations of a similar nature with regard to the type of crime involved.

The only statistics which are kept that would relate to racially or religiously motivated violence are the number of domestic terrorist incidents and the number of domestic security investigations.

However, these statistics deal with all other types of violent activity and would include politically and criminally motivated violence as well.[25]

This Commission takes the position that, while the need to explore new legislative initiatives at the State and local level may exist, Federal laws, with some modification, are adequate to prosecute perpetrators of racially motivated violence. In congressional testimony, Dr. Mary Frances Berry, former Vice Chairman and present member of the U.S. Commission on Civil Rights, recommended that the U.S. Department of Justice increase its level of prosecutions under existing Federal law:

The steady increase of racially motivated crimes is cause for the gravest concern. The struggle for civil rights in this country has been an arduous one. We have come too far to let the struggle of many be undone by the lawlessness of a few. We as a nation must make a concerted effort to find effective means for deterring and punishing these acts of violence. We have presently at our disposal the necessary means to bring a halt to the growing number of acts of racially motivated violence. We have no choice but to make swift use of these means. . . .The statutory basis for enforcement is present and, again, let me stress that the Justice Department should have no higher priority than stopping the murder of and assault on people for no reason other than their race.[26]

Several observers at the State level also believe that if the full force of existing laws were rigorously applied, little need if any would exist for new legislation. Among those who expressed this view were police officers from Providence who appeared before the Rhode Island Advisory Committee and also indicated some reservation about the courts' willingness to enforce such laws.[27]

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[25] Robert J. Ivey, Terrorism Section Chief, Criminal Investigation Division, FBI, U.S. Department of Justice, letter to Paul Alexander, Acting General Counsel, U.S. Commission on Civil Rights, Jan. 18, 1982.

[26] Mary Frances Berry, testimony, U.S., Congress, House Judiciary Subcommittee on Criminal Justice, June 3, 1981, pp. 14–15. In her testimony Dr. Berry recommended that 18 U.S.C. section 241 would be improved if the element of conspiracy were removed as well as the restriction that the victim must be a citizen. With regard to section 242, she conveyed recommendations that the judicially imposed requirement of showing specific intent be removed and that punishment be raised to the level of a felony. She encouraged increased prosecution under section 245, since it contains language that is specific enough to avoid the challenges of vagueness that 18 U.S.C. sections 241 and 242 have undergone.

[27] New England Regional Office, *Regional Response*, Nov. 13, 1981, pp. 14–15.

Media Response

As indicated in the previous chapter, State Advisory Committees to this Commission believe that sensitive and nonsensational news coverage of acts of racial and religious violence and intimidation should be encouraged. One way of doing so is reflected in earlier descriptions of public and private commissions, coalitions, or task forces. In most of these cases, newspaper editors, television producers, and other media representatives serve on such bodies established to examine the problem and recommend solutions. On other occasions, community organizations with civil rights interests have taken the initiative to contact opinionmakers to suggest existing or potential programs that provide factual and historical information about hate group activity and the ways in which it is best countered.

The television industry has a code that sets forth standards of responsible programming. In the treatment of news and public events, the code calls for reporting that is factual, fair, and unbiased. It advocates against the airing of "morbid, sensational or alarming details not essential to the factual reports" and states further that "pictorial material should be chosen with care and not presented in a misleading manner." The code acknowledges that "television provides a valuable forum for the expression of responsible views on public issues" and urges broadcasters to "seek out and develop with accountable individuals, groups and organizations, programs relating to controversial public issues of import to his/her fellow citizens."[28] Were relevant portions of this code followed circumspectly by the electronic media, and similar principles by the printmedia, many of the problems arising in coverage of hate group activity might be eliminated.

Speaking Out

Running through virtually all the material gathered on the subject of racial and religious violence is a belief in the indispensable need for strong and unambiguous statements from community leaders and elected officials that acts of racial and religious intimidation will not be tolerated. Members of hate groups of the kind discussed in this statement view themselves as true patriots who stand as the last defenders of the American way. They must learn from repeated public statements, as well as the determined enforcement of law, that they are the most anti-American among us. Were they to succeed in having a one-race, one-religion, one-ancestry Nation, then any semblance of the pluralism that is America would be destroyed.

One means for voicing indignation is the promulgation and passage of official resolutions. Two examples are contained in the appendix: one issued by the Wilmington, Delaware, City Council and the other by the Maryland State Department of Education.

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[28] *Broadcasting/Cablecasting Yearbook 1982*, pp. D–15 to D–17.

President Reagan emphasized his own opposition to racial and religious intimidation and violence by visiting a black family that fell victim to a cross burning upon moving into a white neighborhood in Prince Georges County, Maryland.[9] What is needed according to most observers is for more public officials to take repeated opportunities to express their disapproval in increasingly strong terms and definitive action. At the annual convention of the National Association for the Advancement of Colored People, President Reagan expressed in clear terms his own indignation over extremist groups and the determination of his administration to deal forcefully with those who attempt to deny the rights of other Americans:

> A few isolated groups in the backwater of American life still hold perverted notions of what America is all about. Recently in some places in the Nation there's been a disturbing reoccurrence of bigotry and violence. If I may, from the platform of this organization, known for its tolerance, I would like to address a few remarks to those groups who still adhere to senseless racism and religious prejudice, to those individuals who persist in such hateful behavior.
>
> If I were speaking to them instead of to you, I would say to them, "You are the ones who are out of step with our society. You are the ones who willfully violate the meaning of the dream that is America. And this country, because of what it stands for, will not stand for your conduct." My administration will vigorously investigate and prosecute those who, by violence or intimidation, would attempt to deny Americans their constitutional rights.[10]

[9] U.S., Executive Office, *Weekly Compilation of Presidential Documents*, vol. 18, May 10, 1982, p. 699.
[10] Ibid., vol. 17, June 29, 1981, p. 699.

Chapter 5

Conclusions and Suggestions

The U.S. Commission on Civil Rights concludes that the phenomenon of racial and religious violence is a serious threat to the maintenance of a peaceful, democratic, and pluralistic society. Bigotry-bred violence and intimidation are manifestations of racism and anti-Semitism that still survive even after the years of effort spent on their eradication. The basic cause, the complex network of contributing circumstances, and the social and psychological dimensions that surround the increasing display of racial and religious violence and intimidation are easily understood in broad outline:

- When persons or groups derive primary satisfaction or esteem in thinking themselves superior to others;
- when a sense of group superiority is evoked to advance the group itself at the expense, disadvantage, or persecution of another group;
- when religious doctrine is wittingly or unwittingly used to place guilt or to establish hostility toward another group;
- when competition increases for shrinking numbers of jobs, economic resources, and government assistance;
- when government is perceived as either covertly supporting or unwilling to take punitive action with respect to entrenched discrimination;
- when some segments of society believe that the "American way of life" is about to be destroyed by internal and external "enemies";

then the circumstances are right for an unprecedented explosion of hatred and bigotry that can result in confrontations of serious proportions. Furthermore, when these are perpetrated in a spirit of righteous indignation and fueled by an expectation of media exposure and public tolerance, violence is not surprising.

The Commisssion further concludes that:

1. Precise measures of the extent of racial and religious violence and intimidation do not exist primarily because Federal, State, and local law enforcement agencies have not devised methods for reporting and compiling statistics on crimes that involve clear signs of racial and religious motivation.

Such data are needed to measure trends, develop preventive programs, allocate resources, and adjust public policy.

2. The criminal justice system is more likely to inspire confidence that it will respond swiftly and effectively to apprehend offenders, press for prosecutions, and exact appropriate punishments when the racial, ethnic, and religious composition of criminal justice work forces reflects that of the community.

3. Some national, State, and local leaders have not been as vocal as they should be in expressing outrage over criminal acts that deny constitutional rights to persons because of their color, creed, or national origin. Whether this is due to unintentional insensitivity, or to a deliberate conspiracy of silence, it too becomes the ground for believing that illegal acts of racial or religious violence will not be challenged seriously.

4. Although antidemocratic extremist groups contribute much of the rhetoric of hatred and provide an enclave of emotional support for those who act out the hatred, the groups themselves are not always directly responsible for acts of racial and religious violence. Many of these acts are carried out by unthinking imitators; others are committed by individuals who happen to hold the same views espoused by group members.

5. Education is one key element in efforts to eradicate racism and prevent violence. Effective educational strategies can be developed by public and private school systems, police training academies, the mass media, universities, religious institutions, and a host of community-based organizations.

6. New legislative initiatives aimed at outlawing specific tactics of racial and religious bigots have been taken by a number of State and local legislative bodies in apparent recognition that adequate legal tools as well as improved educational strategies are important in the fight against overt bigotry.

On the basis of these conclusions, the Commission makes the following suggestions:

1. Federal and State authorities should develop workable reporting systems that will produce an accurate and comprehensive measurement of the extent of criminal activity that is clearly based on racial and/or religious motivations.

Implementing this suggestion is no easy task. Uniform definitions, guidelines, and procedures must be developed if the data are to be reliable, comparable, and useful. Until this difficult step is taken, however, some public policy decisions and program development strategies will go unattended or be undertaken in the absence of adequate information. Leadership for the effort should be vested in the Federal Bureau of Investigation in connection with the uniform crime reporting system. The pioneering effort of the State of Maryland should prove instructive in this area.

2. The criminal justice system, especially law enforcement components, should intensify efforts to ensure that staff who confront incidents of racial

and religious terrorism are broadly representative of the racial, ethnic, and religious makeup of the communities they serve.

As this Commission has noted in several reports on police practice, confidence in the cause of justice is served best when it involves personnel who by training, background, and minority status are personally sensitive to the dynamics of life in a multiracial society.

3. The President of the United States should continue to take the lead in denouncing overt acts of racism and anti-Semitism as being the epitome of intolerable and irresponsible behavior on the part of any American.

The President is in a unique position to exert the power of moral suasion and reinforce the abiding values of democratic traditions. Reviews of the history of violence in America indicate that outbreaks subside when officials make it clear that anti-American behavior is repugnant and subject to full enforcement of the law and constitutional guarantees. The President's statements to date have been forthright, powerful, and clear; we urge his continuing leadership in this area.

4. Parents, educators, leaders of religious institutions, and other opinion-makers should work together to develop educational programs designed to produce cognitive and emotional change with respect to racism and anti-Semitism.

Promising efforts in this regard are underway in a number of communities. What may be needed to intensify educational activity is leadership and seed money from the National Endowment for the Humanities and private philanthropies. The need for such education and training on the part of law enforcement officers, who stand as the first line of defense in dangerous and explosive situations, should not be overlooked.

5. The Civil Rights Division of the U.S. Department of Justice should intensify its prosecution of racially and religiously motivated violence.

This Commission reiterates its belief that too few cases are prosecuted under the adequate provisions of 18 U.S.C. section 245. The U.S. Department of Justice should treat such prosecutions as one of the most critical responsibilities of its Civil Rights Division.

We urge upon all Americans a cooperative and relentless effort, by all legal means, to excise from American life the roots of bigotry and violence that deny the rights of racial, religious, and ethnic minorities. We believe swift and effective action is needed, but conclude with a caution against the use of extreme measures wherein the government's interest is not balanced against the deprivation of individual rights.

Appendix

Wilmington, Delaware
November 12, 1981

WHEREAS, it has become clear that some persons in the Reagan Administration are advocating to the President a reduction in Civil Rights compliance and enforcement; and

WHEREAS, these hard-fought rights for minorities and women are the major blocks to a return to the ugly hatred that once prevailed in many parts of this country; and

WHEREAS, many states and cities formerly enacted laws to segregate and to oppress those who were not white; and

WHEREAS, it is also clear that the rise of hate groups and the incidence of acts of violence against minorities is on the increase; and

WHEREAS, whenever the economy declines, the tendency has been to ignore Civil Rights violations and the viciousness of these hate groups at the expense of freedom for all citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON That the Council reiterates its view that it is not in the best interest of this country to permit a weakening of Civil Rights compliance enforcement and, further, the Council urges Delaware's Congressional Delegation to actively resist any further erosion of Civil Rights.

FURTHER RESOLVED That the City Clerk is directed to forward copies of this Resolution to the members of Delaware's Congressional Delegation.

Passed by City Council
November 12, 1981

ATTEST: *Signed by*
City Clerk

Approved as to form
November 11, 1981

Signed by
Assistant City Solicitor

RESOLUTION

MARYLAND STATE BOARD OF EDUCATION

July 29, 1981

Resolution No. 1981–35

Re: *Violence and Extremism*

WHEREAS, The Maryland State Board of Educat on believes that public education is provided best in an atmosphere where differences are understood and appreciated, and where all persons are treated fairly, with respect and without discrimination or threats of violence or abuse; and

WHEREAS, The recent incidents of cross-burning, painting of swastikas, defacing of places of worship and other public buildings, threatened violence against the persons of civil rights organizations, distribution of hate literature to school children and similar acts by members of the Ku Klux Klan, Neo-Nazi organizations and other hate groups in Maryland are cases for concern and constructive response by all persons of good will; and

WHEREAS, Silence in the face of deliberate acts of wanton hatred cannot and must not be tolerated in this state; and

WHEREAS, The educational system of Maryland has an affirmative responsibility to help create within itself and within the communities of the state an atmosphere of respect, understanding, fairmindedness and tolerance between and among racial, ethnic and religious groups consistent with the democratic principles on which this nation is built; and

WHEREAS, Action, inaction, words and their absence by all citizens including employees of the MSDE [Maryland State Department of Education] and local school systems contribute significantly to the climate which either breeds or discourages racial, ethnic and religious bigotry; now therefore be it

RESOLVED, That the Maryland State Board of Education finds intolerable and condemns any individual or organization, such as the Ku Klux Klan and Neo-Nazi type groups that believe in, practice, or support verbal abuse, threats, or physical violence directed against others; and be it further

RESOLVED, That the State Board of Education commends the Governor in his appointment of the Task Force on Violence and Extremism and directs the State Superintendent as a member to support fully the work of the Task Force, and be it further

RESOLVED, That the State Board of Education directs the Maryland State Department of Education to continue to give positive emphasis in its curricula work, in-service training activities, grants, awards and all other appropriate contexts to issues of equity and to the unacceptability of the kind of activity to which this resolution is directed; and be it further

RESOLVED, That the State Board of Education strongly urges all citizens of good will to speak out against those who would foment hatred and seek to divide us; and be it further

RESOLVED, That the State Board of Education strongly encourages all local school systems to give specific attention to these issues in board policy, curricula, staff development activities and extracurricular affairs; and be it further

RESOLVED, That the State Board of Education directs the State Superintendent to bring this resolution to the attention of each local board of education and local superintendent.